

SUMMARY OF INTERVIEW

Applicants conducted a telephone interview with Examiners Gudibande and Gupta on May 16, 2007 to discuss the status of the instant application. Along with Examiners Gudibande and Gupta, participating in the interview was applicants' attorney Arles A. Taylor, Jr. Applicants sincerely appreciate Examiner Gudibande's and Examiner Gupta's time and consideration in participating in the interview.

During the course of the interview, the status of claim 15 and the nature of the restriction/election requirement regarding claim 10 were discussed. Also discussed were the requirements necessary for making a responsive reply to the provisional species elections of claims 1 and 14. It is believed that the elections made below are in keeping with applicants' understanding of the discussion of the restriction/election requirements.

RESTRICTION PRESENTED

The claims have been restricted into the following fourteen groups of inventions:

<u>Groups</u>	<u>Claims</u>	<u>Subject Matter</u>
I	10	Drawn to a conjugate of the formula shown in claim 1 wherein TA is an amino acid.
II	10	Drawn to a conjugate of the formula shown in claim 1 wherein TA is a protein.
III	10	Drawn to a conjugate of the formula shown in claim 1 wherein TA is enzymes.
IV	10	Drawn to a conjugate of the formula shown in claim 1 wherein TA is nucleosides.
V	10	Drawn to a conjugate of the formula shown in claim 1 wherein TA is saccharides.
VI	10	Drawn to a conjugate of the formula shown in claim 1 wherein TA is organic acids.
VII	10	Drawn to a conjugate of the formula shown in claim 1 wherein TA is glycosides.

Application Serial No.: 10/506,524

VIII	10	Drawn to a conjugate of the formula shown in claim 1 wherein TA is flavonoids.
IX	10	Drawn to a conjugate of the formula shown in claim 1 wherein TA is quinones.
X	10	Drawn to a conjugate of the formula shown in claim 1 wherein TA is terpinoids.
XI	10	Drawn to a conjugate of the formula shown in claim 1 wherein TA is phenylpropanoid phenols.
XII	10	Drawn to a conjugate of the formula shown in claim 1 wherein TA is steroids.
XIII	10	Drawn to a conjugate of the formula shown in claim 1 wherein TA is glycosides thereof.
XIV	10	Drawn to a conjugate of the formula shown in claim 1 wherein TA is alkaloids.

The Patent Office notes that claims 1-9 and 11-19 link I-XIV and that upon allowance of a linking claim(s), the restriction requirement will be withdrawn and any claims depending from or otherwise including all the limitations of the allowable linking claim(s) will be entitled to examination in the instant application.

The Patent Office has further requested that the applicants elect a single species specifying each of the variables shown in the formula of claim 1 and a single species of antitumor agent described in claim 14.

APPLICANTS' ELECTION

Applicants hereby elect the invention of Group XIV, claim 10, drawn to a conjugate for the formula shown in claim 1 wherein TA is alkaloids, for prosecution at this time.

Applicants further provisionally elect as the single species of the formula of claim 1 the compound wherein:

P is polyethylene glycol;

m is 2;

j is 2;

Application Serial No.: 10/506,524

R_i is H;

X is $(CH_2)_iOCO$, wherein i is 1;

Z is NH; and

TA is camptothecin glycine ester.

Applicants respectfully submit that the elected species of claim 1 reads upon the species disclosed in Example 5. See Instant Specification, page 11, line 16 to page 12, line 6 and bottom of Figure 3 (i.e., molecule (5)). Applicants further note that camptothecin is an alkaloid antitumor agent and that claims 1-6, 10, 11, and 13-18 read, in part, on the elected species of the formula of claim 1.

With regard to claim 14, applicants provisionally elect camptothecin glycine ester, a derivative of camptothecin. Applicants note that this election is in agreement with the provisional species election with regard to the formula of claim 1 and to the election of Group XIV, conjugates of the formula of claim 1 wherein TA is an alkaloid.

Applicants respectfully submit that the election of the above-mentioned species does not place an undue burden on the Examiner to perform a complete search of the defined areas. The present species elections are made without traverse to the extent that it is understood that, upon the finding of an allowable species, examination will continue until all species have been examined, or a non-allowable species is found, all in accordance with the procedures set forth in the Manual of Patent Examining Procedure § 803.02.

Applicants further respectfully ask that as examination progresses the Patent Office consider the rejoinder of the subject matter related to Groups I-XIII.

REMARKS

Status Summary

Claims 1-19 are now pending in the subject U.S. patent application and have been subjected to a Restriction/Election Requirement.

In response to the Restriction/Election Requirement, applicants have elected Group XIV related to compounds wherein TA is an alkaloid, for prosecution at this time.

Application Serial No.: 10/506,524

Applicants hereby reserve the right to file one or more divisional patent applications directed to the unelected subject matter.

Claims 1-18 have been amended herein. Claim 19 has been canceled. New claims 20-22 have been added. Therefore, upon entry of present Amendment, claims 1-18 and 20-22 will be pending in the subject application.

Claim Amendments

Applicants respectfully submit that, in a clarifying, non-limiting amendment, claims 1-18 have amended to correct grammar, punctuation, and spelling; to correct for consistent use of terms (i.e., "drug molecule"); to more clearly identify numerical ranges (i.e., to delete the use of the symbol "~"); and to use a more standard Markush grouping language. Claim 16 has been amended to be singly dependent upon claim 1.

No new matter has been added by the claim amendments presented herein.

New Claims

New claims 20-22 have been added.

More particularly, new claim 20 recites a composition comprising a conjugate of claim 15 and a pharmaceutically acceptable carrier or excipient. New claim 21 recites the composition of claim 20 further comprising another (i.e., an additional) therapeutically active agent. New claim 22 recites the composition of claim 20, wherein the composition is formulated into a form selected from a tablet, a suppository, a pill, a soft gelatin capsule, a hard gelatin capsule, a powder, a solution, a suspension, and an aerosol.

Support for new claim 20 can be found in the instant specification as filed, at page 8, lines 21-23, which recites that compositions of conjugates of the presently disclosed subject matter can include pharmaceutically acceptable carriers or excipients. Support can also be found in claim 16 as originally filed.

Support for new claim 21 can be found in the instant specification as filed at page 8, line 23, which recites that the composition can include other medical agents.

Application Serial No.: 10/506,524

Support can also be found in claim 17 as originally filed (i.e., as claim 17 depended on original claim 16).

Support for new claim 22 can be found in the instant specification as filed at page 8, lines 19-20, which recites various dosage forms for the presently disclosed compositions. Support can also be found in claim 18 as originally filed (i.e., as claim 18 depended on original claim 16).

Applicants respectfully submit that new claims 20-22 read, in part, on the elected species of the formula of claim 1. Applicants further respectfully submit that no new matter has been added.

CONCLUSIONS

Should there be any minor issues outstanding in this matter, the Examiner is respectfully requested to telephone the undersigned attorney. Early passage of the subject application to issue is earnestly solicited.

DEPOSIT ACCOUNT

The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account Number 50-0426.

Respectfully submitted,

JENKINS, WILSON, TAYLOR & HUNT, P.A.

Date: May 31, 2007

By: _____


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